APPENDIX A

History of Trial Delay

FEBRUARY 5, 1963

Mrs. Chapman's trial counsel was appointed to represent her. (C.T. 5)

FEBRUARY 14, 1963

Mrs. Chapman filed a Motion for Order for Separate Trial, Notice of Hearing Motion for Separate Trial, and Affidavit of Defendant, Ruth Elizabeth Chapman, in Support of Motion for Separate Trial. (C.T. 29-37)

FEBRUARY 21, 1963

The Motion for Separate Trial was denied. (C.T. 29-37)

Mrs. Chapman filed Motion for Dismissal for Failure to Bring Case to Trial (C.T. 51-52); Motion of Hearing for Dismissal (C.T. 53-54); Affidavit of Defendant, Ruth Elizabeth Chapman In Support Of Motion For Dismissal (C.T. 48-50); and Memorandum of Points and Authorities In Support Of Defendant's Motion to Dismiss The Indictment. (C.T. 43-47)

FEBRUARY 26, 1963

Mrs. Chapman filed a Supplementary Affidavit Of Defendant, Ruth Elizabeth Chapman, In Support Of Motion For Dismissal. (C.T. 56-59)

Mrs. Chapman's Motion For Dismissal Of The Indictment, upon the ground of a denial of a speedy trial, was denied. (C.T. 61)

MARCH 4, 1963

Counsel for codefendant Teale filed a motion for a thirty day continuance on the ground that he did not

have adequate time to prepare for the trial. (C.T. 76) Mrs. Chapman resisted any continuance. (R.T. 104A-111A) The motion for continuance was granted and the trial date was set for April 16, 1963. (C.T. 79)

MARCH 6, 1963

Mrs. Chapman filed a Petition for a Writ of Mandate with the District Court of Appeal for the State of California in and for the Third Appellate District to compel the Superior Court of the State of California, in and for the County of San Joaquin, to proceed with the trial against Mrs. Chapman on the previously set date of March 19, 1963.

MARCH 14, 1963

Said petition was summarily denied. (C.T. 458)

MARCH 28, 1963

Mrs. Chapman filed Demand For Immediate Trial, Or, In The Alternative, Motion To Dismiss For Failure To Bring Case To Trial (C.T. 88-89; Notice Of Hearing Demand For Immediate Trial, Or, In The Alternative, Motion To Dismiss For Failure To Bring Case To Trial (C.T. 90-91); Affidavit In Support Of Demand For Immediate Trial (C.T. 86-87); and Memorandum Of Points And Authorities In Support Of Defendant's Demand For Immediate Trial, Or, In The Alternative, Motion To Dismiss For Failure To Bring Case To Trial.

The affidavit filed by Mrs. Chapman stated: "That I am one of the defendants in the above entitled action.

"That I was arrested on October 26, 1962, in St. Joseph, Missouri, and voluntarily waived extradition hearings so that I could return to the State of California for a speedy trial.

"That I am completely and entirely innocent of all the crimes alleged against me and my only capacity was that of an unwilling witness; that I have cooperated with the authorities in every way asked of me so that I might be given a speedy trial.

"That I have never requested a delay, but, on the contrary, have continually asked for a speedy trial.

"That I have previously suffered from a nervous breakdown and am presently in a very nervous condition; that I have been under arrest and confined continuously for a period of 158 days; *that I believe that a further delay in my trial will be detrimental to my health* and may well result in my having a relapse from my previous breakdown.

"Therefore, the undersigned respectfully demands that this Court issue its order for an immediate trial for this defendant, or, in the alternative, that Information No. 15779 be dismissed as to this defendant. (Emphasis added)

"Dated: March 28th, 1963.

"Ruth Elizabeth Chapman
"Ruth Elizabeth Chapman,
Affiant"

(C.T. 86-87)

APRIL 2, 1963

Mrs. Chapman's Demand For Immediate Trial, Or, In The Alternative, Motion To Dismiss For Failure to Bring Case To Trial was denied. (C.T. 93)

Mrs. Chapman filed a Petition for Writ of Prohibition in the District Court of Appeal in the State of California, in and for the Third Appellate District. (C.T. 394-432)

APRIL 4, 1963

Said petition was summarily denied. (C.T. 459)

APRIL 16, 1963

The selection of the jury began. (C.T. 94)

MAY 7, 1963

Mrs. Chapman collapsed in court. (R.T. 1733)